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OFFICE OF PETITIONS

In re Application of:	:	
STEGELMANN, et al.	:	
Application No.: 10/081,079	:	DECISION ON PETITION FOR
Filing Date: February 21, 2002	:	REVIVAL OF ABANDONED
Attorney's Docket No.: 10157	:	APPLICATION UNDER
For: EVALUATING EXPRESSIONS IN	:	37 CFR 1.137(b)
STORED PROCEDURES	:	
	:	

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-entitled application, filed February 03, 2006.

The petition is **GRANTED**.

This application became abandoned for failure to timely file a proper reply to the final Office action mailed June 13, 2005, which set a shortened statutory period of reply of three (3) months. On November 17, 2005, applicants filed two "Declarations Of Facts Under 37 CFR 1.131" in response to the final Office Action, accompanied by payment for a two-month extension of time under 37 CFR 1.136(a). However, as indicated in the Advisory Action mailed December 19, 2005, because applicants had failed to provide an adequate showing supporting entry of these materials, the declarations filed 17 November 2005 were not entered and considered herein. Accordingly, the application was abandoned as of midnight on November 13, 2005.

On February 03, 2006, applicants filed the petition for revival under 37 CFR 1.137(b) considered herein. The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that it includes: (1) the petition fee; (2) the required statement of unintentional delay; and (3) the required reply in the form of a Request For Continued Examination (RCE), with fee and submission (the materials previously filed on November 17, 2005 satisfy the submission requirement of 37 CFR 1.114). Accordingly, the reply to the final Office action of June 13, 2005 (in the form of the RCE and submission) is accepted as having been unintentionally delayed.

The application file is being referred to Technology Center AU 2167.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3296.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a series of loops and a final flourish.

Richard M. Ross
Attorney Advisor